



electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the relatively modest cost of the advertisement,<sup>5</sup> we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

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April 19, 2019  
Date

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<sup>5</sup> At the time the Complaint was submitted, Facebook metrics reflected that there were between 10,000 to 50,000 people who viewed the advertisement and it cost less than \$999 to post. See Compl. at 2, Ex. A.